

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Garrick Solomon,

Petitioner,

V.

Charles L Ryan, et al.,

## Respondents.

No. CV-17-04508-PHX-DLR

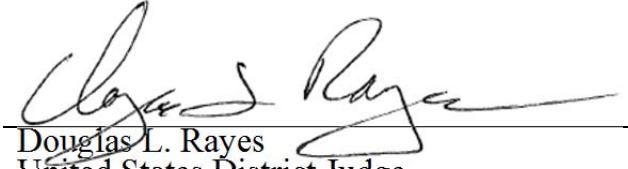
## ORDER

Before the Court is Petitioner Garrick Solomon’s Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 and United States Magistrate Judge James F. Metcalf’s Report and Recommendation (“R&R”). (Docs. 1, 15.) The R&R recommends that the Court deny the Petition and dismiss with prejudice because it is barred by the habeas statute of limitations, and Ground 1’s exclusionary rule claim is not cognizable on habeas. The Magistrate Judge advised the parties that they had fourteen days to file objections to the R&R and that failure to file timely objections could be considered a waiver of the right to obtain review of the R&R. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Petitioner did not file objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (“[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection.”); Fed. R. Civ. P. 72(b)(3) (“The district judge must determine de novo any part of the magistrate judge’s disposition that has been properly objected to.”). The Court has nonetheless reviewed the

1 R&R and finds that it is well-taken. The Court will accept the R&R and deny the Petition  
2 and dismiss with prejudice. *See* 28 U.S.C. § 636(b)(1) (stating that the district court  
3 “may accept, reject, or modify, in whole or in part, the findings or recommendations  
4 made by the magistrate”); Fed. R. Civ. P. 72(b)(3) (“The district judge may accept, reject,  
5 or modify the recommended disposition; receive further evidence; or return the matter to  
6 the magistrate judge with instructions.”).

7 **IT IS ORDERED** that Magistrate Judge MetCalf’s R&R (Doc. 15) is  
8 **ACCEPTED**. Petitioner’s Petition for Writ of Habeas Corpus (Doc. 1.) is **DISMISSED**  
9 with prejudice. The Clerk of the Court shall terminate this case.

10 Dated this 31st day of July, 2018.

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Douglas L. Rayes  
United States District Judge